

## **IMPOSING THE PENALTY OF SUSPENSION FOR ONE (1) MONTH WITHOUT PAY ON 2ND ASSISTANT PROVINCIAL PROSECUTOR ARMANDO V. CORTES OF DIGOS, DAVAO DEL SUR**

*ADMINISTRATIVE ORDER NO. 67, July 21, 1993*

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/6f5796715184/>

---

This refers to the administrative complaint filed by Ponciano Layug against 2nd Assistant Provincial Prosecutor Armando V. Cortes of Digos, Davao del Sur.

The complaint stemmed from a perjury case (TBP No. 86-02241) filed by the complainant, Ponciano Layug, before the Tanodbayan on September 29, 1986.

Initially, the preliminary investigation of the aforesaid cases was handled by Prosecutor Joel Hipe but was later re-assigned to Prosecutor Romeo Albarracin. After the parties submitted their memorandum the case was re-assigned to respondent-prosecutor.

Complainant alleged that: a) respondent-prosecutor dismissed his complaint for perjury (TBP No. 86-02241) without the benefit of a proper investigation and pursued the case for estafa thru falsification (TBP No. 86-01001) against him; b) it took respondent-prosecutor one (1) year to resolve the perjury case and two (2) years to dispose of the estafa thru falsification case; and c) TBP No. 87-03017 which was filed in November, 1987 is still pending with the respondent-prosecutor.

In answer to the charges, respondent-prosecutor claims that when the perjury case was assigned to him, the records were already complete, and believing that no other matter required clarification, he evaluated the same and eventually resolved the case. He admits the delay in the resolution of the cases but attributes it to the fact that he is not only an investigating fiscal but also a trial fiscal. He alleges that TBP No. 87-03017 had already been resolved on June 14, 1989. He insists that the instant administrative complaint is spawned by ill-will and resentment, and instituted to harass him.

The recommendation of the Secretary of Justice in imposing the penalty of suspension for one (1) month on respondent-prosecutor is based on his findings which reads:

“We noted, however, of the unreasonable delay in the disposition of the cases filed by the complainant. Records reveal that the perjury case (TBP No. 86-02241) filed by complainant was re-assigned to the respondent-prosecutor on November 16, 1987, per order of the same date, and was resolved by him on June 15, 1988, a period covering seven months or a delay of three months beyond the reglementary period. Furthermore, in TBP Case No. 87-03017 for falsification of official/public documents, it appears that the case was filed before respondent-prosecutor in November 1987 but was only resolved on June 14, 1989, per certification dated April 16, 1990, submitted by the respondent-prosecutor. The delay incurred beyond the requisite period is approximately a year and three months. With regard to TBP Case No. 87-02474 filed before respondent-prosecutor, we are led to believe that a delay also occurred in its disposition.

I concur with the findings of the DOJ Secretary.

Respondent-prosecutor’s explanation as to the delay in the resolution of the cases assigned to him is untenable.

WHEREFORE, premises considered, respondent 2nd Assistant Provincial Prosecutor Armando V. Cortes is found liable for Neglect of Duty. Accordingly, the penalty of suspension for one (1) month without pay is hereby imposed.

Done in the City of Manila, this 21st day of July, in the year of Our Lord, nineteen hundred and ninety-three.

(Sgd.) FIDEL V. RAMOS  
President of the Philippines

By the President:  
(Sgd.) TEOFISTO T. GUINGONA, JR.  
Executive Secretary

**ABOUT BATAS.ORG**

# Study smarter at BATAS.org

*The Philippine bar review and law-school companion built around how your brain actually remembers.*

**The complete Philippine law library - free for everyone.**

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

**Audio case-brief lectures.**

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

**Bar review built on the science of memory.**

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

**The full law-school curriculum.**

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

**Mock exams that tell you where you stand.**

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

**A study planner that keeps you on pace.**

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

**Start free at <https://batas.org>**

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.